

REMARKS

In view of the above amendments and the following remarks, reconsideration and withdrawal of the objections and rejections set forth in the Final Office Action of June 17, 2004, is earnestly solicited.

Claims 2 and 17 have been amended to clarify Applicants' invention. Claims 2, 4—13 and 15—20 remain pending in the application.

Claims 2, 6—8, 10, 13 and 15—16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Czaplicki et al. (6,482,486). The rejection is respectfully traversed.

Czaplicki et al. does not have a generally tubular body...in abutting engagement with an inner perimeter of the first tubular frame member as called for in amended Claim 2. Attention is directed to Claim 5, lines 11—19 of Czaplicki et al. Furthermore, there is no mention in Czaplicki et al., either textually or via the drawings, that the structural member, or reinforcing sleeve, is located in the first tubular frame member at the joint with the second tubular frame member. Czaplicki's structural member 20 appears from Fig. 1 only to extend along the B-pillar 5 and not down into the intersection with the sill 6 or up into the intersection with the roof portion 3. Claim 2, and its depending Claims 6—8, 10, 13 and 15—16 are believed to be allowable over Czaplicki et al.

Claims 17—20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by DE 19858903. The rejection is respectfully traversed.

The German reference does not teach a tube having an outer perimeter substantially mating and in abutting engagement with an inner perimeter of a tubular portion of the first frame member, as called for in amended Claim 17. Claim 17, and its dependent Claims 18—20, are therefore believed to be allowable over DE 19858903.

Claims 4—5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over

Czaplicki et al. in view of Aloe et al. The rejection is respectfully traversed.

Claims 4—5 depend directly from Claim 2 and are therefore believed to be in condition for allowance for the reasons set forth above with respect to Claim 2.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Czaplicki et al. in view of Benedyk (5,458,393). The rejection is respectfully traversed.

Claim 9 depends indirectly from Claim 2 and is therefore believed to be in condition for allowance for the reasons set forth above with respect to Claim 2.

Claims 11—12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Czaplicki in view of Janotik (5,209,541). The rejection is respectfully traversed.

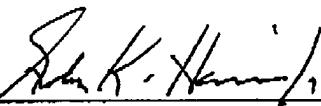
Claims 11—12 depend indirectly from Claim 2 and are therefore believed to be in condition for allowance for the reasons set forth above with respect to Claim 2.

Claims 2 and 17, as amended herein, and Claims 4—13, 15—16 and 18—20, as previously presented are believed to be in condition for allowance, early acknowledgment of which is requested.

Respectfully submitted,

Dated: September 9, 2004

By:


Gordon K. Harris, Jr., Reg. No. 28,615
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

Attorney for Applicants

Ralph E. Smith
CIMS 483-02-19
DaimlerChrysler Intellectual Capital Corporation
DaimlerChrysler Technology Center
800 Chrysler Drive
Auburn Hills, MI 48326-2757
248-944-6519

09/941,386

7